

REMARKS

Claim Amendments

Claims 47-49 and 74 have been amended herein to recite a method for treating small cell lung cancer. Support can be found throughout the specification. No new subject matter has been added.

Allowable Subject Matter

Applicants acknowledge that Claims 1, 3, 6-18, 23-30, 32, 35-39, 42-44, 57-60 and 63-73 have been found allowable.

Rejection of Claims 47-49, 61-62 and 74-75 Under 35 U.S.C. §112, First Paragraph.

Claims 47-49, 61-62 and 74-75 are rejected under 35 U.S.C. §112, first paragraph, because, according to the Office Action, although the specification is enabling treating small cell lung cancer, it does not reasonably provide enablement for treating any or all cancer implicitly embraced in the claim language.

Applicants, without conceding to the correctness of the Examiner's position but in order to expedite prosecution of the instant application, have amended Claims 47-49 and 74 to recite a method for treating small cell lung cancer, which has been found enabled in the instant Office Action. Applicants reserve the right to prosecute the cancelled subject matter at a later date or in a timely filed continuation application. Dependent Claims 61-62 and 75 incorporate all of the limitations of Claims 47-49 and 74, respectively, and are also enabled by the specification. Applicants submit that the Examiner's rejection is rendered moot by the amendment of these claims. Reconsideration and withdrawal of the rejection are respectfully requested.

Rejection of Claims 47-49, 61-62 and 74-75 Under 35 U.S.C. §112, First Paragraph.

Claims 47-49, 61-62 and 74-75 are rejected under 35 U.S.C. §112, first paragraph, because, according to the Office Action, the specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims.

Claims 47-49 and 74 have been amended herein to recite a method for treating small cell lung cancer. Dependent Claims 61-62 and 75 incorporate all of the limitations of Claims 47-49 and 74, respectively, and are also enabled by the specification. Applicants submit that the Examiner's rejection is rendered moot by the amendment of these claims. Reconsideration and withdrawal of the rejection are respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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